



ORIGINAL

James C. Codell, III
Secretary of Transportation

Commonwealth of Kentucky
Transportation Cabinet
Frankfort, Kentucky 40622

Paul E. Patton
Governor

T. Kevin Flanery
Deputy Secretary

October 8, 1999

RECEIVED
OCT 15 1999
FEDERAL ROOM

EX PARTE OR LATE FILED

Ms. Magalie Roman Salas
Commission Secretary
Federal Communications Commission
Portals II, 445 12th Street, S.W.
Suite TW-A325
Washington, D.C. 20554

In the Matter of

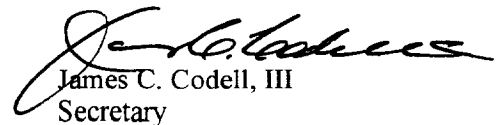
Petition of the United States Department
of Transportation for Assignment of an
Abbreviated Dialing Code (N11) to Access
Intelligent Transportation System (ITS)
Services Nationwide
File No. NSD-L-99-24
CC Docket No. 92-105 ✓
Ex Parte Comments

Dear Ms. Salas:

The Kentucky Transportation Cabinet is a participant in the above-referenced proceeding. Please accept the attached letter to the Kentucky Public Service Commission as a further expression of our support for the subject petition.

Pursuant to Section 1.1206 of the Commission's Rules, an original and a copy of this letter are being filed with your office for inclusion in the public record in the above-referenced proceeding. If you have any questions concerning this submission, please contact the undersigned.

Sincerely,


James C. Codell, III
Secretary

JCC/JMY/JKD/LW/dd

Attachment

c: Al McCloud, FCC
Helene Schrier Nankin, FCC
International Transcription Service, Inc.



KENTUCKY TRANSPORTATION CABINET

"PROVIDE A SAFE, EFFICIENT, ENVIRONMENTALLY SOUND, AND FISCALLY RESPONSIBLE TRANSPORTATION SYSTEM
WHICH PROMOTES ECONOMIC GROWTH AND ENHANCES THE QUALITY OF LIFE IN KENTUCKY."
"AN EQUAL OPPORTUNITY EMPLOYER M/F/D"

No. of Copies rec'd
List ABCDE

071



James C. Codell, III
Secretary of Transportation

Commonwealth of Kentucky
Transportation Cabinet

Frankfort, Kentucky 40622
September 29, 1999

Paul E. Patton
Governor

T. Kevin Flanery
Deputy Secretary

Mr. B. J. Helton
Chairman
Kentucky Public Service Commission
730 Schenkel Lane
Frankfort, KY 40601

In the Matter of:

INVESTIGATION INTO THE ASSIGNMENT) ADMINISTRATIVE
OF ABBREVIATED N11 DIALING CODES) CASE NO. 343

Dear Mr. Helton:

The Kentucky Transportation Cabinet (referred to as "the Cabinet") hereby respectfully requests that the Cabinet's assignment of the 211 Dialing Code for the provision of traveler information in the Cincinnati Bell Telephone Company service area be extended, as a minimum, until the Federal Communications Commission (FCC) takes action on the Docket and File noted below. We further request that an additional six-month period be provided beyond the FCC action to allow the Cabinet, your Commission, and Cincinnati Bell to fully assess and react to all options that may be available.

On June 21, 1995, your Commission required Cincinnati Bell to allocate the 311 Dialing Code to the Cabinet for a trial period. On November 14, 1997, the dialing code was changed to 211 with the allocation to extend until October 31, 1999. On September 4, 1997, the Public Utilities Commission of Ohio (PUCO) took a similar action by directing Cincinnati Bell to make the 211 Dialing Code available to the Ohio Department of Transportation (ODOT) for a two-year period ending September 4, 1999. Thus, 211 was made available for the entire Cincinnati Bell service area.

As noted above, ODOT's usage of 211 was slated to expire on September 4, 1999. That date has now been extended until December 4, 1999, to allow ODOT to take advantage of on-going evaluation efforts to prepare a fully supported application for continued use of 211 for a one-year period. A copy of the PUCO extension order, dated September 2, 1999, is attached for your information and usage.

A movement has now been initiated for the National allocation of a N11 Dialing Code for the provision of traveler information. On March 8, 1999, the United States Department of Transportation (USDOT) filed a petition with the Federal Communications Commission (FCC) identified as follows:

Petition by the United States Department)
of Transportation for Assignment of an) CC Docket No. 92-105
Abbreviated Dialing Code (N11) to Access) File No. NSD-L-99-24
Intelligent Transportation System)
Services Nationwide)



KENTUCKY TRANSPORTATION CABINET

"PROVIDE A SAFE, EFFICIENT, ENVIRONMENTALLY SOUND, AND FISCALLY RESPONSIBLE TRANSPORTATION SYSTEM
WHICH PROMOTES ECONOMIC GROWTH AND ENHANCES THE QUALITY OF LIFE IN KENTUCKY."
"AN EQUAL OPPORTUNITY EMPLOYER M/F/D"

The FCC has now completed the "Comment" and "Reply Comment" periods of their regulatory process. The Cabinet has provided supportive comments to the FCC during both periods. Further, we are planning an ex parte visit to the FCC which will likely occur around the middle of November. This visit will be to further support the USDOT petition.

Several actions have taken place subsequent to November 14, 1997, which affect this request. One is that the remainder of the equipment for the ARTIMIS Regional Traffic Management System (described in the Commission's Order dated, June 21, 1995) has been installed and placed into service. As such, much more accurate, reliable, comprehensive, and timely traveler information is available. We have estimated that this accomplishment alone has increased the number of landline calls to obtain traveler information by 18%.

Secondly, several major freeway reconstruction projects have been initiated. Over a five-month period after these projects began, there was a 28% increase in calls due to the reconstruction projects. After this five-month period, traffic adjusted to the reconstruction projects and call volumes decreased by a similar amount.

The major increase began, however, in March of 1998 when the 211 Dialing Code became available to the entire Cincinnati Bell service area. Using data collected earlier when the 311 Dialing Code was used in Kentucky and 333-3333 was used in Ohio, we were able to confidently estimate that the availability of the 211 Dialing Code alone increased landline calls by 72.7%.

A fourth major action is an independent evaluation of 211 usage by the University of Kentucky Transportation Center and the University of Kentucky Survey Research Center. A random sample of callers to the 211 Dialing Code provided several statistically valid conclusions. Two major conclusions from this study include:

- 99% of the callers stated that they benefited by the traveler information obtained by calling 211
- 65% of the callers said that they were willing to pay for the 211 service with the average amount being \$0.25 per call

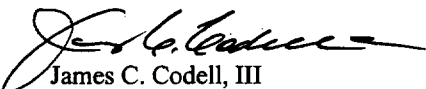
The above evaluation is still active and we expect more factual data on usage of the 211 dialing code in the near future.

In the Order issued June 21, 1995, which approved our initial use of the N11 Dialing Code (311), the Commission stated that there was no dispute that with implementation of the Traveler Information System, "citizens of Kentucky will be provided with improved quality and quantity of service". The foregoing data substantiates that conclusion by your Commission.

The Cabinet would prefer to request that the 211 Dialing Code be allocated on a permanent basis. However, as the previously noted petition before the FCC could affect both our preference and the Commission's decision, we submit this request that the existing use of the 211 Dialing Code in the Kentucky portion of the Cincinnati Bell service area be continued until the FCC takes action on the USDOT petition, with an additional six-month period provided to allow all parties to more effectively respond to the FCC decision.

Your consideration is greatly appreciated. The Cabinet is available to meet with you and your staff, either informally or in a formal hearing.

Sincerely,


James C. Codell, III
Secretary

JCC/LW/dd
Attachment

c: All Interested Parties to Administrative Case No. 343
Mr. Alan R. Schriber, Chairman, PUCO
Mr. Gordon Proctor, ODOT
Ms. Magalie Roman Salas, Secretary, FCC

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission Investi-)
 gation Into the Allocation of Abbreviated) Case No. 93-1799-TP-COI
 Dialing Arrangements, Such as N-1-1.)

ENTRY

The Commission finds:

- (1) On September 4, 1997, the Commission issued an order in this case which established a two-year pilot use of the 2-1-1 service code by the Ohio Department of Transportation (ODOT), for use in providing, on a noncommercial basis through its ARTIMIS¹ project, travel and traffic management information services throughout those portions of the greater Cincinnati-Northern Kentucky Metropolitan Area which are located in Ohio. This two-year 2-1-1 pilot project is presently scheduled to expire on September 4, 1999.
- (2) On August 27, 1999, ODOT filed a pleading in this docket indicating its intention to file, in the near future, a formal request for re-assignment of the 2-1-1 service code, for the same purpose, for an additional one-year period. ODOT expects to support that request, in part, with an as-yet-to-be-completed study of the ARTIMIS project that is currently being undertaken by the University of Kentucky. Because the university's study is not yet completed, ODOT will need additional time, beyond the currently-scheduled September 4, 1999 expiration date of the existing pilot project, to complete its detailed formal request for the additional one-year re-assignment. Therefore, ODOT's August 27, 1999 pleading sets forth a request to extend, on an interim basis, for an additional 90 days (i.e., until December 4, 1999), ODOT's existing 2-1-1 pilot program. This 90-day interim period would allow ODOT's existing use of the 2-1-1 service code to continue while it prepares to file a formal, fully supported, request for re-assignment for an additional one-year period.

¹ ARTIMIS (Advanced Regional Traffic Interactive Management and Information System) is a state-of-the-art traffic management system that relies on the latest technology to provide "real-time" information to motorists or others who use the system. Its purpose is to provide a centralized system for effective traffic incident detection and management of the freeway system in the Cincinnati-Northern Kentucky area.

93-1799-TP-COI

-2-

- (3) The Commission finds that ODOT's request for an interim, 90-day extension of the existing 2-1-1 pilot program is reasonable under the circumstances presented and should be granted. In the event that ODOT formally applies, by December 4, 1999, for a one-year reassignment of the 2-1-1 code, for the same purpose as is covered by its existing pilot use of the 2-1-1 service code, the existing 2-1-1 pilot project will be allowed to continue, unless the Commission orders otherwise, until such time as the Commission rules on such application by ODOT. However, in the event that ODOT fails to make such a timely application for reassignment, the existing 2-1-1 pilot project will expire on December 4, 1999.

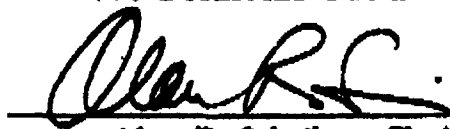
It is, therefore,

ORDERED, That the length of the 2-1-1 pilot project established by the Commission's September 4, 1997 Opinion and Order in this case is hereby extended, on an interim basis in accordance with the above findings, until December 4, 1999. It is, further,

ORDERED, That, in the event that ODOT formally applies, by December 4, 1999, for a one-year reassignment of the 2-1-1 code, for the same purpose as is covered by its existing pilot use of the 2-1-1 service code, the existing 2-1-1 pilot project will be allowed to continue, unless the Commission orders otherwise, until such time as the Commission rules on such application by ODOT. However, in the event that ODOT fails to make such a timely application for reassignment, the existing 2-1-1 pilot project will expire on December 4, 1999. It is, further,

ORDERED, That a copy hereof be served upon ODOT, and upon all parties of record in Case No. 93-1799-TP-COI.

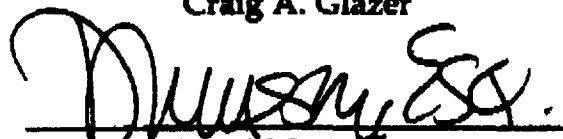
THE PUBLIC UTILITIES COMMISSION OF OHIO


Alan R. Schriber, Chairman


Ronda Hartman Fergus


Craig A. Glazer

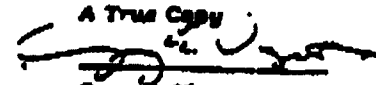

Judith L. Jones


Donald L. Mason

DEF/vrh

Entered in the Journal
SEP 2 1999

A True Copy


Gary E. Vigorito
Secretary